

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant: Jeffrey Rodman et al. § CUSTOMER NO.: 29855  
§  
Serial No.: 10/032,766 § Docket No.: 199-0032US  
§  
Filed: December 26, 2001 § Art Unit: 2143  
§  
For: System and Method for Coordinating § Confirmation No.: 5760  
a Conference Using a Dedicated  
Server §  
§ Examiner: England, David E.

Box Appeal Brief  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Mail Stop: Appeal Briefs – Patents

**REPLY BRIEF**

**TABLE OF CONTENTS**

|      |   |    |
|------|---|----|
| I.   | STATUS OF CLAIMS .....                              | 3  |
| II.  | GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL ..... | 4  |
| III. | REPLY TO EXAMINER'S ANSWER .....                    | 5  |
| IV.  | CLAIMS APPENDIX.....                                | 11 |

**I. STATUS OF CLAIMS**

Claims 1-41 are cancelled. Claims 42-65 are rejected. Claims 42-65 are appealed.

**II. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

Claims 58 and 59 are rejected under 35 U.S.C. §101 because claimed invention is directed to non-statutory subject matter. This rejection was withdrawn in the Examiner's Answer.

Claims 43-53 and 55-65 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2007/0192410 to Liversidge *et al.* (hereinafter "Liversidge").

Claim 54 is rejected under 35 U.S.C. §103(a) as being unpatentable over Liversidge in view of U.S. Patent Publication No. 2001/0016038 to Sammon *et al.* (hereinafter "Sammon").

### **III. REPLY TO EXAMINER'S ANSWER**

As a preliminary matter Appellants note that the Examiner has withdrawn the rejection under 35 U.S.C. § 101. While Appellants do not acquiesce to the reasons stated by the Examiner in withdrawing this rejection and Appellants contend that the rejection was improper for the reasons stated in Appellants' responses to the Office Actions and in Appellants' Appeal Brief, Appellants' respectfully thank the Examiner for withdrawing this rejection.

Appellants present herein arguments related to the statements made by the Examiner in the Examiner's Answer, dated December 24, 2008. Appellants submit that these statements are in error and therefore the Examiner's allegations are without merit. The errors are described below.

***Error #1:*** Appellants have argued that Liversidge does not disclose a conference code, which when presented to the conference server by a remote device, authorizes the remote device to join the data conference. In response to this argument, the Examiner stated in his answer, ***"Therefore, as stated in ¶0100 of Liversidge, the StatusEvent message is used to notify the creator of a team that specific users are now part of the team which could be interpreted as being authorized to be in a team."*** Examiner's Answer, page 10.

Appellants submit that Examiner's interpretation merely stresses that the StatusEvent message may include a notification that authorized users are now part of the team. But, this interpretation says nothing about whether the StatusEvent message itself is used in authorizing the users to be part of the team. Clearly, if the StatusEvent message were to be equated to the conference code (as has been maintained by the Examiner in the Final Office Action, dated April 3, 2008) recited in claims 49 and 50, then it would be necessary to show, *inter alia*, that the StatusEvent message when presented to a conference server by a remote device authorizes the remote device to join the data conference. Appellants, by way of arguments presented below, show that (i) StatusEvent message is not presented to a conference server by a remote device, and (ii) StatusEvent message does not authorize the remote device to join the data conference. Accordingly, equating the StatusEvent message to the conference code recited in claims 42 and 50 is improper.

As pointed out by Liversidge in ¶ 0100 and the accompanying Figure 14, StatusEvent message—the alleged conference code—is presented ***by the VTE server to VTE client (A),***

where VTE client (A) is the client that initiates the conference. See Figure 14, messages 236, 238, 240, 272, and 282. But the claims require that the conference code, *when presented to the conference server by the remote device*, authorizes the remote device to join the conference. Therefore, if the Examiner's claim that StatusEvent message can be considered to be a conference code were true, then it would be necessary for Liversidge to teach that the StatusEvent message when presented to the VTE server by either VTE client (B) or VTE client (C) authorizes VTE clients (B) or (C) to join the data conference. But there is no such teaching in Liversidge. This is because all the communications between the VTE server and the VTE clients (B) or (C) that include the StatusEvent message are shown to be *directed from the* VTE server *to the* VTE clients, and not from the VTE clients to the VTE server. As a result, the question of VTE server authorizing the VTE clients (B) or (C) based on the StatusEvent message does not even arise because the StatusEvent message is never sent by the VTE clients (B) or (C) to the VTE server. Therefore, the StatusEvent message, despite being interpreted as notifying the creator of the team that specific users are now part of the team, cannot be equated to a conference code as required by claims 42 and 50.

**Error #2:** In response to the same argument by Appellants, the Examiner further stated, *"Furthermore, when the CreateTeam message is received by one of the servers, it then continues to communicate with other servers to create said team. These messages could be interpreted as different conference codes to authorize users to join a data conference team which is being set up by the servers in the network in response to the creator of the team's request to set up a team of clients to participate in a function."* Examiner's Answer, page 10.

Examiner purports that the messages shown generated by Liversidge following the generation of CreateTeam message by the VTE client (A), can be interpreted as conference codes. Appellants respectfully disagree. The Examiner is merely making a conclusory statement without specifically pointing out which messages in particular are conference codes and why. Only because Liversidge's system generates messages that eventually result in forming a conference team does not imply that such messages can be equated to the conference code as required by claims 42 and 50. This is because Liversidge's system does not meet at least one limitation of claims 42 and 50 "wherein said data conference code, when presented to said

conference server by said remote device, authorizes said remote device to join said data conference.”

**Error #3:** The Examiner further stated, *“In other words, the DTMF is a sequence of numbers, or a "conference code", that acts like a "password" to authorize the clients that are invited to the conference to join in.”* Examiner’s Answer, page 10.

The DTMF signal from the VTE client (C) to the conference bridge is a response by the individual at the VTE client (C) to options provided by a speech invitation announcement, and not a password.

Paragraphs **0187-0188** lists the components of invitation announcement sent by the conference bridge to the VTE client (C) as shown below:

“[0187] . . . The announcement informs the team member using VTE client (C) that *he has been invited by the team member using VTE client (A) to participate in a multi-media communications* session taking place between the team members using VTE clients (A) and (B). The conference bridge also announces the topic and message, if provided, and session type to the team member using VTE client (C) followed by *a menu of options for responding to the invitation.*

[0188] As shown in FIG. 36a, the team member using VTE client (C) *accepts the invitation to join the multi-media communications session by selecting an appropriate key from the voice communications device keypad*, which transmits a dual-tone modulated frequency (DTMF) signal (or by speaking an appropriate voice command which is interpreted by speech recognition) to the conference bridge to inform the conference bridge that the invitation is accepted (step 1468).”

Therefore, the individual using VTE client (C) merely responds by selecting an appropriate key from the keypad that was already specified to him/her by the menu of options announced in the speech invitation announcement. In other words, the VTE client (C) sends

back to the conference bridge a signal representing a digit/number where the digit/number was previously specified by the conference bridge itself. Therefore, the VTE client (C)'s response does not include a “password” as claimed by the Examiner.

Even if it were assumed, *arguendo*, that the VTE client (C)'s response is a “password,” such a password still cannot be equated to a conference code. This is at least because claims 42 and 50 require that (i) the conference code be received by the endpoint initiating the conference from the conference server, and (ii) that the endpoint initiating the conference transmit to the remote device data representative of the conference code.

In Liversidge, the DTMF signal representing the “key” selected by the VTE client (C), fails to meet these requirements. This is because the “key” is never received by the VTE client (A)—the endpoint initiating the conference code. The communication of the “key” is limited only between the VTE server, the conference bridge, and the VTE client (C)—the invitee. Consequently, (i) the “key” is not received by VTE client (A) from the VTE server, and (ii) the VTE client (A) does not transmit any data representative of the “key” to VTE client (C). But these were the requirements for a conference code as recited in claims 42 and 50.

Therefore, Appellants submit that the DTMF sequence of Liversidge cannot be equated to a conference code, as required by claims 42 and 50.

**Error #4:** The Examiner further stated, “*As seen in ¶ 0186, the client is contacted and multiple numbers are sent to client C, i.e., dialed number of the team member and a dialed number of the conference bridge, which is used by the client C to access the bridge and act as an authentication for communicating with the team...).*” Examiner’s Answer, page 11.

Multiple numbers are not sent to client C, as claimed by the Examiner. Instead these numbers are sent from the VTE server to the virtual switching point (VSP). Relevant portion of paragraph **0186** is reproduced below:

Consequently, the *VTE server sends (step 1452) a MakeCall message to the VSP*. The MakeCall message includes the *dialed number of the team member using VTE client (C)* as well as the *dialed number of the conference bridge*. (Emphasis added).

Therefore, Liversidge teaches that the dialed number of the team member and the dialed number of the conference bridge is sent by the VTE server to the VSP—there is no teaching of these numbers being sent to VTE client (C). This is further evident from Figure 36 of Liversidge, where “MakeCall(C(DN)CB(DN))” message (1452) is sent by the VTE server to the VSP. Therefore, Examiner’s claim that multiple numbers are sent to VTE client (C) is improper.

**Error #5:** The Examiner further stated, *“Appellant is asked to view ¶ 0186, which states that a dialed number of the conference bridge is communicated to the client. This could leave one to believe that a dialed number that is communicated to the client could be in a DTMF signal since the network which the devices are in is a PSTN and that the dialed number is also used when the client attempts to contact the server as stated in paragraph 0188, as a DTMF signal.”* Examiner’s Answer, page 12.

First, as discussed previously, the dialed number of the conference bridge is never communicated to the VTE client (C) of Liversidge. On the contrary, ¶ 0186 of Leversidge teaches that the conference bridge number is communicated *by the VTE server to the VSP* using MakeCall message (See Figure 36, MakeCall message 1452). Second, in ¶¶ 0186-0188, VTE client (C) never attempts to contact the server, as claimed by the Examiner. On the contrary, it is the VTE server that contacts VTE client (C) via a conference bridge. For example, ¶ 0187 teaches VTE server sends a PlayInvitation message through the data packet network to the conference bridge instructing the conference bridge to play an Invitation message announcement to the team member using VTE client (C). Therefore, VTE client (C) merely responds to an incoming call, and does not dial out to the VTE server.

Therefore, Examiner’s claim that the dialed number of the conference bridge is communicated to the VTE client and that the VTE client uses this number to contact the VTE server is improper.

\* \* \* \* \*

Respectfully submitted,

---

**February 24, 2009**

Date

---

**/Raymond Reese/**

R. Scott Reese

Reg. No. 47,891  
Attorney for Applicant

WONG, CABELLO, LUTSCH,  
RUTHERFORD & BRUCCULERI, LLP  
20333 State Highway 249, Suite 600  
Houston, Texas 77070  
832/446-2400  
832/446-2424 (facsimile)  
[wcpatent@counselip.com](mailto:wcpatent@counselip.com)

**IV. CLAIMS APPENDIX**

1-41 (canceled without prejudice)

42. (previously presented) A conference endpoint comprising:  
a CPU;  
a telephone line interface for coupling said conference endpoint to a telephone line;  
a network interface for coupling said conference endpoint to a computer network;  
a microphone for generating near speech signals for transmission over said telephone line, said near speech signals being representative of speech of a near conference participant;  
a speaker for converting to sound remote speech signals received from a remote device over said telephone line, said remote speech signals being representative of speech of at least one remote conference participant;  
a data conference initiation module, coupled to said network interface and to said telephone line interface for transmitting a data conference initiation request to a conference server over said computer network, for receiving a data conference code generated by said conference server, wherein said data conference code, when presented to said conference server by said remote device, authorizes said remote device to join said data conference, and for responsively transmitting over said telephone line a data conference invitation to said remote device, said conference invitation including information representative of said data conference code; and  
a memory for storing one or more files containing conference data distributed by said conference server via said computer network during a data conference, wherein said CPU is coupled to said telephone line interface, said network interface, said data conference initiation module, and said memory.

43. (previously presented) The conference endpoint of claim 42, wherein said data conference initiation module transmits said conference initiation request in response to a predetermined user input.

44. (previously presented) The conference endpoint of claim 42, further comprising a display device coupled to said network interface for displaying said conference data.

45. (previously presented) The conference endpoint of claim 42, wherein said conference data comprises video information.

46. (previously presented) The conference endpoint of claim 42, wherein the data conference initiation module is further configured to transmit a conference join request to said conference server over said computer network responsive to a received conference invitation.

47. (previously presented) The conference endpoint of claim 42, wherein said conference invitation comprises a string of Dual Tone Multi-Frequency (DTMF) tones.

48. (previously presented) The conference endpoint of claim 42, further comprising a web browser for displaying said conference data, wherein said conference data comprises text and graphical information.

49. (previously presented) The conference endpoint of claim 42, wherein said data conference initiation module is further configured for transmitting over said computer network a data conference invitation to said remote device.

50. (previously presented) A method for initiating and managing a data conference from a near conference endpoint, comprising:

at the near conference endpoint:

establishing a connection over a telephone line with at least one remote conference endpoint;

transmitting a data conference initiation request to a conference server over a computer network;

receiving from the conference server a unique data conference code corresponding to said data conference initiation request, wherein said data conference code, when presented to said conference server, authorizes said at least one remote conference endpoint to join said data conference;

generating an audio signal representative of said data conference code;

transmitting said audio signal to said at least one remote conference endpoint over

said telephone network; and  
    receiving one or more files containing conference data distributed by said  
    conference server via said computer network during said data conference.

51. (previously presented) The method of claim 50, wherein the act of generating an audio code comprises generating a string of DTMF tones.

52. (previously presented) The method of claim 50, wherein the act of transmitting a data conference initiation request is performed in response to a predetermined user input.

53. (previously presented) A method for initiating and managing a data conference at a conference server, the method comprising the acts of:

    at said conference server:  
    receiving a conference initiation request from a first conference endpoint over a computer network;  
    generating a conference code in response to said conference initiation request, wherein said conference code when presented to said conference server by one or more second conference endpoints authorizes said one or more second conference endpoints to join said data conference;  
    transmitting said conference code to said first conference endpoint over the computer network;  
    maintaining a list of data conference participants based on received data conference join requests from said first and said one or more second conference endpoints; and  
    distributing one or more files comprising conference data to said data conference participants over said computer network.

54. (previously presented) The method of claim 53, wherein the act of distributing one or more files comprising conference data comprises transmitting a web page.

55. (previously presented) The method of claim 53, wherein said conference data is representative of a document.

56. (previously presented) The method of claim 53, wherein said conference data is representative of a presentation slide.

57. (previously presented) The method of claim 53, further comprising the act of converting at least one of said one or more files from a first format to a second format.

58. (previously presented) A machine readable medium having embodied thereon a program, the program being executable by a machine to perform method acts for coordinating a data conference utilizing electronic means, the method acts comprising:

at a near conference endpoint:

transmitting a data conference initiation request to a conference server over a computer network;

receiving a conference code from said conference server over said computer network in response to said data conference initiation request, wherein said conference code, when presented to said conference server by at least one remote conference endpoint, authorizes said at least one remote conference endpoint to join said data conference;

generating an audio signal representative of said conference code;

transmitting said audio signal to said at least one remote conference endpoint over a telephone line; and

transmitting one or more files comprising conference data to said conference server for distribution to said at least one remote conference endpoint via said computer network during said data conference.

59. (previously presented) A machine readable medium having embodied thereon a program, the program being executable by a machine to perform method acts for coordinating a data conference utilizing electronic means, the method acts comprising:

at a remote conference endpoint:

receiving an audio signal representative of a conference code from at least one conference endpoint over a telephone line wherein said conference code, when presented to a conference server by said remote conference endpoint, authorizes said remote conference endpoint to join said data conference; transmitting a data conference join request including said conference code to said conference server over a computer network in response to receiving said audio signal; and

receiving one or more files comprising conference data distributed by said conference server via said computer network during said data conference.

60. (previously presented) A conference endpoint comprising:

- a CPU;
- a telephone line interface for coupling said conference endpoint to a telephone line;
- a network interface for coupling said conference endpoint to a computer network;
- a microphone for generating near speech signals for transmission over said telephone line, the near speech signals being representative of speech of a near conference participant;
- a speaker for converting to sound remote speech signals received from a remote device over said telephone line, the remote speech signals being representative of speech of at least one remote conference participant;

a data conference initiation module coupled to said network interface and to said telephone line interface and configured to receive over said telephone line interface from a remote conference endpoint a data conference invitation including information representative of a data conference code, wherein said data conference code, when presented to a conference server by said endpoint, authorizes said endpoint to join said data conference, and further configured to transmit a data conference join request including said data conference code to said conference server over said computer network in response to the received conference invitation; and

a memory for storing one or more files containing conference data distributed by said conference server via said computer network during a data conference, wherein said CPU is coupled to said telephone line interface, said network interface, said data conference initiation module, and said memory.

61. (previously presented) The conference endpoint of claim 60, further comprising a display device coupled to said network interface for displaying said conference data.
62. (previously presented) The conference endpoint of claim 60, wherein said conference data comprises video information.

63. (previously presented) The conference endpoint of claim 60, wherein said data conference invitation comprises a string of dual tone multi-frequency (DTMF) tones.

64. (previously presented) The conference endpoint of claim 60, further comprising a web browser for displaying said conference data, wherein said conference data comprises text and graphical information.

65. (previously presented) The conference endpoint of claim 60, wherein said data conference initiation module is further configured for receiving over said computer network a data conference invitation from said remote conference endpoint.